

## REMARKS

Claims 1-10 are pending in the application. Claims 1 and 8 have been amended, claims 2-7 and 9-10 have been canceled, and claims 11-17 have been added, leaving claims 1, 8 and 11-17 for consideration upon entry of the present Amendment. Support for the amendment can be found on page 6 and in the original filed claims. Applicants respectfully request reconsideration in view of the following amendment and remarks.

Applicants filed Information Disclosure Statements on March 12, 2002 and April 12, 2002. Applicants respectfully request that the Examiner initial the PTO 1449 forms, indicating that the Examiner has considered those references.

Claims 2-4 and 6 stand objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants have canceled those claims. Accordingly, Applicants respectfully request that the objection be withdrawn.

Claims 1, 5, 7, and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Welschof (US 3,935,717). Claims 1, 9, and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Wagner (US 3,815,381).

Claims 5, 7, 9, and 10 have been canceled. Claim 1 includes the following limitation: "a ball cage blank that is configured as a substantially annular spherical segment and has at least some functional zones that are elevated as compared to an adjacent surface of the ball cage blank." Welschof and Wagner does not disclose, teach or suggest that limitation.

The claim requires that the ball cage blank has at least some functional zones that are elevated. There is nothing in either Wagner or Welschof that teaches or suggests that that ball cage blank has such elevated functional zones. By incorporating the elevated functional zones as part of the ball cage blank, it is possible that only a few areas are machined and avoids uninterrupted cuts.

Thus, Wagner and Welschof do not disclose all of the limitations of claim 1. Accordingly, neither Wagner nor Welschof anticipate claim 1 and Applicants request that the rejections be withdrawn.

Claim 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Welschof. For an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the

prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1595, 1598 (Fed. Cir. 1988); *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d 1016, 1023 (Fed. Cir. 1996).

Claim 8 includes all of the limitations of claim 1. As explained above, Welschhof does not anticipate claim 1. Accordingly, claim 8 is patentable over Welschhof. Applicants respectfully request that the rejection be withdrawn.

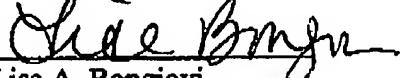
Applicants have added new claims 11-17, which are directed to the method for producing a ball cage. Those claims also include the limitation that the functional area of the ball cage blank is elevated. Accordingly, for the reasons discussed above, Applicants respectfully request that claims 11-17 be allowed.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

CANTOR COLBURN LLP

By: 

Lisa A. Bongiovi  
Registration No. 48,933  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002  
Telephone (860) 286-2929  
Facsimile (860) 286-0115  
Customer No. 23413

Date: November 7, 2003

BAW-0005  
10/088,154